

(iii) Manual stop valves that will not actuate.

(iv) Rubber hose flexible connectors with any condition outlined in paragraph (g)(1) of this section.

(v) Stainless steel flexible connectors with damaged reinforcement braid.

(vi) Internal self-closing stop valves that fail to close or that permit leakage through the valve detectable without the use of instruments.

(vii) Pipes or joints that are severely corroded.

[64 FR 28051, May 24, 1999]

§ 180.417 Reporting and record retention requirements.

(a) *Vehicle certification.* (1) Each owner of a specification cargo tank must retain the manufacturer's certificate, the manufacturer's ASME U1A data report, where applicable, and related papers certifying that the specification cargo tank identified in the documents was manufactured and tested in accordance with the applicable specification. This would include any certification of emergency discharge control systems required by §173.315(n) of this subchapter or §180.405(m). The owner must retain the documents throughout his ownership of the specification cargo tank and for one year thereafter. In the event of a change in ownership, the prior owner must retain non-fading photo copies of these documents for one year.

(2) Each motor carrier who uses a specification cargo tank motor vehicle must obtain a copy of the manufacturer's certificate and related papers or the alternative report authorized in paragraph (a)(3) (i) or (ii) of this section and retain the documents as specified in this paragraph. A motor carrier who is not the owner of a cargo tank motor vehicle must retain a copy of the vehicle certification report at its principal place of business for as long as the cargo tank motor vehicle is used by that carrier and for one year thereafter. Upon a written request to, and with the approval of the Regional Director, Office of Motor Carrier Safety, Federal Highway Administration, for the region in which a motor carrier has its principal place of business, a motor carrier may retain the certificate and related papers required by this para-

graph at a regional or terminal office. The addresses and jurisdictions of the various regional Motor Carrier Safety Offices are provided in §390.40 of this title. The provisions of this section do not apply to a motor carrier leasing a cargo tank for less than 30 days.

(3) *DOT Specification cargo tanks manufactured before September 1, 1995—(i) Non-ASME Code stamped cargo tanks—*If an owner does not have a manufacturer's certificate for a cargo tank and he wishes to certify it as a specification cargo tank, the owner must perform appropriate tests and inspections, under the direct supervision of a Registered Inspector, to determine if the cargo tank conforms with the applicable specification. Both the owner and the Registered Inspector must certify that the cargo tank fully conforms to the applicable specification. The owner must retain the certificate, as specified in this section.

(ii) *ASME Code Stamped cargo tanks.* If the owner does not have the manufacturer's certificate required by the specification and the manufacturer's data report required by the ASME, the owner may contact the National Board for a copy of the manufacturer's data report, if the cargo tank was registered with the National Board, or copy the information contained on the cargo tank's identification and ASME Code plates. Additionally, both the owner and the Registered Inspector must certify that the cargo tank fully conforms to the specification. The owner must retain such documents, as specified in this section.

(b) *Test or inspection reporting.* Each cargo tank which is tested or reinspected as specified in §180.407 must have a written report, in English, prepared in accordance with this paragraph.

(1) The test or inspection report must include the following:

(i) Type of test or inspection performed and a listing of all items either tested or inspected (a checklist is acceptable);

(ii) Owner's and manufacturer's serial numbers;

(iii) DOT Specification;

(iv) Test Date (Month and year);

(v) Location of defects found and method used to repair each defect;

(vi) Name and address of person performing the test, the DOT registration number of the facility or the person performing the test;

(vii) Disposition statement, such as “Cargo tank returned to service” or “Cargo tank withdrawn from service”; and

(viii) DOT registration number of the inspector, and dated signature of inspector and owner.

(2) The owner and the motor carrier, if not the owner, must each retain a copy of the test and inspection reports until the next test or inspection of the same type is successfully completed. This requirement does not apply to a motor carrier leasing a cargo tank for less than 30 days.

(c) *Additional requirements for Specification MC 330 and MC 331 cargo tanks.*

(1) After completion of the pressure test specified in §180.407(g)(3), each motor carrier operating a Specification MC 330 or MC 331 cargo tank in anhydrous ammonia, liquefied petroleum gas, or any other service that may cause stress corrosion cracking, must make a written report containing the following information:

(i) Carrier's name, address of principal place of business, and telephone number;

(ii) Complete identification plate data required by Specification MC 330 or MC 331, including data required by ASME Code;

(iii) Carrier's equipment number;

(iv) A statement indicating whether or not the tank was stress relieved after fabrication;

(v) Name and address of the person performing the test and the date of the test;

(vi) A statement of the nature and severity of any defects found. In particular, information must be furnished to indicate the location of defects detected, such as in weld, heat-affected zone, the liquid phase, the vapor phase, or the head-to-shell seam. If no defect or damage was discovered, that fact must be reported;

(vii) A statement indicating the methods employed to make repairs, who made the repairs, and the date they were completed. Also, a statement of whether or not the tank was stress relieved after repairs and, if so, whether

full or local stress relieving was performed;

(viii) A statement of the disposition of the cargo tank, such as “cargo tank scrapped” or “cargo tank returned to service”; and

(ix) A statement of whether or not the cargo tank is used in anhydrous ammonia, liquefied petroleum gas, or any other service that may cause stress corrosion cracking. Also, if the cargo tank has been used in anhydrous ammonia service since the last report, a statement indicating whether each shipment of ammonia was certified by its shipper as containing 0.2 percent water by weight.

(2) A copy of the report must be retained by the carrier at its principal place of business during the period the cargo tank is in the carrier's service and for one year thereafter. Upon a written request to, and with the approval of, the Director, Regional Office of Motor Carrier Safety, Federal Highway Administration for the region in which a motor carrier has its principal place of business, the carrier may maintain the reports at a regional or terminal office.

(3) The requirement in paragraph (c)(1) of this section does not apply to a motor carrier leasing a cargo tank for less than 30 days.

(d) *Supplying reports.* Each carrier offering a DOT Specification cargo tank for sale or lease must make available for inspection a copy of the most recent report made under this section to each purchaser or lessee. Copies of such reports must be provided to the purchaser, or the lessee if the cargo tank is leased for more than 30 days.

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Subpart F—Qualification and Maintenance of Tank Cars

SOURCE: Amdt. 180–8, 60 FR 49079, Sept. 21, 1995, unless otherwise noted.